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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AMENDMENT
Group Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 09/497,590

Gary Karlin Michelson

Filed: June 6, 2000

APPARATUS INCLUDING A GUARD MEMBER
HAVING A PASSAGE WITH A NON-CIRCULAR
CROSS SECTION FOR PROVIDING PROTECTED
ACCESS TO THE SPINE (as amended)

Attorney Docket No. 101.0044-03000

Customer No. 22882

Confirmation No.: 7688

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 5

Date: June 4, 2007

Confirmation Copy to Follow: NO

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Reply to Notice of Non-Compliant Amendment with 2 replacement sheets of drawings are being facsimile transmitted to the U.S. Patent and Trademark Office on June 4, 2007.


Sandra L. Blackmon

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PATENT
Attorney Docket No. 101.0044-03000
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)	Confirmation No.: 7688
Gary Karlin Michelson)	
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For: APPARATUS INCLUDING A GUARD)	
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WITH A NON-CIRCULAR CROSS)	
SECTION FOR PROVIDING)	
PROTECTED ACCESS TO THE)	
SPINE (as amended))	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

In reply to the Notice of Non-Compliant Amendment of May 17, 2007 ("Notice"), Applicant submits corrected drawing sheets, Sheets 31/33 and 33/33, in compliance with 37 C.F.R. § 1.121. Accordingly, please replace the previously submitted Sheets 31/33 and 33/33 including the notation "New Sheet" with the corrected Sheets 31/33 and 33/33 including the notation "Replacement Sheet" submitted herewith.

Please note that the Notice indicated that Sheet 32 was the subject thereof. However, in a telephonic conference of June 04, 2007, Ms. Annette Smith, Legal Instruments Examiner, indicated that the Notice should have properly indicated that Sheet 31 was the subject thereof.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this reply, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including

Application No. 10/683,071
Reply Dated June 4, 2007
Reply to Notice of May 23, 2007

any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 50-3726.

Respectfully submitted,
MARTIN & FERRARO, LLP

Dated: June 4, 2007

By: 

Thomas H. Martin
Registration No. 34,383

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